

THOMAS G. FOLEY, JR. Bar No. 065812
 PHILIP D. DRACHT, Bar No. 219044
 FOLEY BEZEK BEHLE & CURTIS, LLP
 15 West Carrillo Street
 Santa Barbara, California 93101
 Telephone (805) 962-9495
 Facsimile (805) 965-0722
 Email: tfoley@foleybezek.com
 pdracht@foleybezek.com

RICHARD E. DONAHOO Bar No.
 186957
 DONAHOO & ASSOCIATES
 505 North Tustin Avenue, Suite 160
 Santa Ana, California 92705
 Telephone (714) 953-1010
 Facsimile (714) 953-1777
 Email: rdonahoo@donahooandassoc.com

HENRY D. LEDERMAN, Bar No. 079498
 JAMES Y. WU, Bar No. 213090
 LISA C. CHAGALA, Bar No. 217883
 ALLISON R. BALC, Bar No. 214962
 LITTLER MENDELSON
 A Professional Corporation
 2175 North California Blvd., Suite 835
 Walnut Creek, CA 94596.3565
 Telephone: 925.932.2468
 Facsimile: 925.946.9809
 E-mail: hlederman@littler.com
 jywu@littler.com
 lchagala@littler.com
 abalc@littler.com

Attorneys for Defendants 24 HOUR FITNESS
 USA, INC. and SPORT AND FITNESS CLUBS
 OF AMERICA, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

GABE BEAUPERTHUY, et al. ,

Plaintiffs,

v.

24 HOUR FITNESS USA, INC., a
 California corporation dba 24 HOUR
 FITNESS; SPORT AND FITNESS
 CLUBS OF AMERICA, INC., a California
 corporation dba 24 HOUR FITNESS,

Defendants.

Case No. C 06 0715 SC

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING THE TIME TO FILE A
 JOINT PROPOSED OPT-IN ORDER; A
 JOINT PLAN FOR RELATED DISCOVERY
 AND THE PROCESS OF NOTIFICATION;
 AND BRIEFING ON RELEVANT
 DIFFERENCES**

Pursuant to the Order Granting In Part And Denying In Part Plaintiffs' Motion For
 Facilitated Notice Pursuant To 29 U.S.C. §216(b) entered in the above-captioned matter
 ("Conditional Certification Order"), the parties hereby submit this Joint Stipulation and

1 [Proposed] Order Extending the Time to File a Joint Proposed Opt-in Order; A Joint Plan for
2 Related Discovery and the Process of Notification; and Briefing on Relevant Differences.

3 WHEREAS counsel for named Plaintiffs and counsel for Defendants have met and
4 conferred telephonically two times to discuss the matters a joint proposed opt-in order which
5 accords with the rulings above; a joint plan for related discovery and the process of notification;
6 and briefing on relevant differences, if any, which still exist between the parties;

7 WHEREAS counsel have not been able to complete the meet and confer process because
8 of the complexity of the issues;

9 WHEREAS, the Court's Order directs the parties to submit a joint proposed Order within
10 ten days from the date of the Order, which would be Friday, March 16, 2007.;

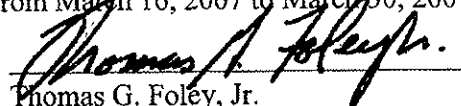
11 WHEREAS counsel for both parties believe that if they have additional time to meet and
12 confer they can narrow the unresolved issues that need to be resolved by the Court.

13 WHEREAS counsel for named Plaintiffs and counsel for Defendants agree that a face-to-
14 face meet and confer is appropriate given the issues to be discussed;


15 WHEREAS counsel for named Plaintiffs and counsel for Defendants have agreed to meet
16 and confer in person on March 21, 2006, at the San Francisco office of Littler Mendelson;

17 IT IS STIPULATED that the date ordered for the parties make the submissions required
18 in the Conditional Certification Order be extended from March 16, 2007 to March 30, 2007.

19 Dated: 3/16/07


Thomas G. Foley, Jr.
Foley Bezek Behle & Curtis, LLP
Attorneys for Plaintiffs

20
21
22
23
24 Dated: 3/15/07

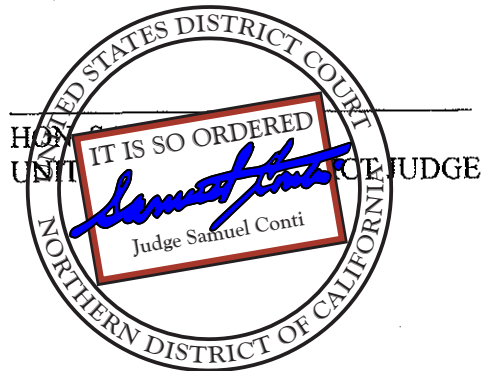

Henry D. Lederman
Littler Mendelson, P.C.
Attorneys for Defendants
24 HOUR FITNESS USA, INC. AND
SPORT AND FITNESS CLUBS OF
AMERICA, INC.

1
2 Upon reading the foregoing Stipulation, and good cause appearing,

3
4 IT IS ORDERED THAT:

5
6 The deadline set forth in the Court's Order dated March 6, 2007 to file a joint proposed
7 opt-in order, a joint plan for related discovery and the process of notification and their separate
8 briefings on differences is extended to Friday, March 30, 2007.

9
10 Dated: 3/19/07



11
12
13
14 Firmwide:82183453.1 034670.1216